GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:3255
ANSWERED ON:04.02.2004
GRATUITY TO TEACHERS
DHANI RAM SHANDIL;JASWANT SINGH YADAV;KINJARAPU YERRANNAIDU;SRINIVASULU KALAVA

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Supreme Court has recently ruled that the teachers are not entitled for gratuity at the time of their retirement;

(b) if so, the details thereof alongwith the reaction of the Government thereto;

(c) whether this ruling will also be applicable to the teachers of Kendriya Vidyalayas and Jawahar Navodaya Vidyalayas; and

(d) if so, by when it will be made effective?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DR. SANJAY PASWAN)

(a) to (d) Yes, Sir. The Supreme Court of India intheir judgment dated 13th January, 2004 in a matter between Ahmedabad Pvt. Primary Teachers' Association Vs Administrative Officer & others have ruled that teachers who are mainly employed for imparting education are not intended to be covered for extending gratuity benefits under the Payment of Gratuity Act, 1972. The implications of the judgement dated 13.1.2004 of the Hon'ble Supreme Court in respect of the schools administered through Central Government institutions is being examined.